

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q88611

Sadao IOKI, et al.

Appln. No.: 10/549,810

Group Art Unit: 2871

Confirmation No.: 7664

Examiner: Timothy L. Rude

Filed: September 19, 2005

For: IMAGE DISPLAY SYSTEM AND LIGHT SOURCE UNIT

**RESPONSE TO OFFICE COMMUNICATION AND
STATEMENT OF SUBSTANCE OF INTERVIEW**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Communication of February 19, 2009, and further to a telephone interview between Applicants' representative and Supervisory Examiner David Nelms, on February 24, 2009, Applicant submits the following remarks.

The Office Communication of February 19, 2009 (supplemental to the Office Communication of February 5 2009) indicates that the Amendment filed October 29, 2008 is non-responsive as it allegedly amends all the claims and presents only claims drawn to a non-elected invention under MPEP §818.02(a). More specifically, the Office Communication alleges that the "peripheral prisms" as recited in the claims, as amended, are located in a different position than the "peripheral prisms" as recited in the originally-presented claims, and therefore, the claims, as amended are directed to a non-elected invention.

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In the telephone interview of February 24, 2009, Applicants' representative discussed the February 10, 2009 and February 19, 2009 Office Communications with Supervisory Examiner Nelms. Supervisory Examiner Nelms agreed that the claims as presented in the October 29, 2008 Amendment are not directed to a non-elected invention or species, and directed Applicants to provide a statement, in response to the Office Communications, as shown below.

In response, to the February 19, 2009 Office Communication, and under the direction of Supervisory Examiner David Nelms, Applicants submit that the October 29, 2008 amendments to the claims are for clarity and precision of language, and that the claims as amended, including the limitations related to the "peripheral prisms", are not directed to an invention different, under MPEP §803, from that recited in the originally-filed claims. Further, the claims as amended, including the limitations related to the "peripheral prisms", are not directed to any species independent of the species presented in the originally-filed claims, as previously examined.

Therefore, Applicants submit that the October 29, 2008 Amendment is proper and compliant and respectfully request that the Amendment be entered and that the claims, as amended, be considered.

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It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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WASHINGTON OFFICE

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CUSTOMER NUMBER

Date: March 13, 2009